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Report of the Secretary-General on children and armed conflict in Mali

Summary

The present report is submitted pursuant to Security Council resolutions 1612 (2005), 1882 (2009), 1960 (2010), 1998 (2011) and 2068 (2012). It provides information on the six grave violations against children in Mali covering the period from January 2012 to December 2013.

In his report, the Secretary-General highlights grave violations against children committed by parties to the conflict, including Al-Qaida in the Islamic Maghreb, the Mouvement pour l'unicité et le jihad en Afrique de l'Ouest, the Mouvement national pour la libération de l'Azawad, Ansar Dine and, to a lesser extent, the Malian Defence and Security Forces and pro-Government militias. Violations were mainly sexual violence, killing and maiming, recruitment and use of children, and attacks on schools and hospitals. Children were also detained for their alleged association with armed groups. The most affected regions were Gao, Kidal and Timbuktu.

The Secretary-General notes that the end of the conflict and the process of progressive stabilization of northern Mali contributed to a decrease in the number of grave violations recorded. He also indicates that the protection needs of children affected by the six grave violations are no longer as high as at the onset of the crisis, throughout 2012 and the first months of 2013. Despite the overall improvement in the political and security situation, however, children continue to remain vulnerable and at risk of violations, particularly in the North.

Important challenges for the monitoring and reporting of grave violations persist and information available before and after the establishment of the Monitoring and Reporting Mechanism remains limited.

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I. Introduction

1. The present report, submitted pursuant to Security Council resolutions 1612 (2005), 1882 (2009), 1960 (2010), 1998 (2011) and 2068 (2012), provides information on the six grave violations against children in Mali covering the period from January 2012 to December 2013.

2. This is the first country-specific report on the situation of children and armed conflict in Mali, following the listing for recruitment and use of children as well as for rape and sexual violence of Ansar Dine, the Mouvement national pour la libération de l'Azawad (MNLA) and the Mouvement pour l'unicité et le jihad en Afrique de l'Ouest (MUJAO) in annex I to my annual report on children and armed conflict in 2013 (S/2013/245). Subsequently, the Monitoring and Reporting Mechanism in Mali was established under the co-chairmanship of the United Nations Children's Fund (UNICEF) and the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA). The first meeting of the Country Task Force on Monitoring and Reporting was held on 8 November 2013.

3. The United Nations was able to verify only a very limited number of cases of grave violations, owing to a combination of limited capacity of the Child Protection Section of MINUSMA and severe restrictions on access to northern Mali throughout the reporting period. With the offensive launched by the separatist Tuareg movement and the successive occupation by three Islamist armed groups of the northern regions of Kidal, Gao and Timbuktu, grave violations against children were committed systematically in northern Mali, in particular throughout 2012 and early 2013.

4. The positive military and political developments that took place throughout 2013, however, contributed to a significant decrease in the violations reported. That progress notwithstanding, the security situation remained challenging in the regions of Gao, Kidal and Timbuktu, putting children at risk of recruitment, killing, maiming and sexual violence.

5. Information provided in the present report is drawn from a number of sources, including my previous reports to the Security Council, as well as from data collected by the humanitarian clusters.

II. Political and military developments in Mali since January 2012

6. In mid-January 2012, MNLA, supported by Islamist armed groups including Ansar Dine, Al-Qaida in the Islamic Maghreb (AQIM) and MUJAO, initiated a series of attacks against government forces in the north of the country. In March 2012, a mutiny by disaffected government soldiers quickly turned into a military coup d'état led by then Captain Amadou Haya Sanogo, who seized power and suspended the Constitution.

7. The coup d'état accelerated the collapse of the State in the North and further weakened the capacity of the Malian Defence and Security Forces, resulting in a significant number of desertions and allowing MNLA to overrun government forces in the regions of Kidal, Gao and Timbuktu and unilaterally proclaim an independent "State of Azawad" on 6 April 2012. On the same day, the military junta and the

Economic Community of West African States (ECOWAS) signed a framework agreement, which included the appointment of the then Speaker of the National Assembly, Dioncounda Traoré, as interim President.

8. Meanwhile, on 26 May 2012, MNLA and Ansar Dine reportedly formed a pact whereby they announced the formation of an Islamic Republic of Azawad, with the endorsement of AQIM. The Islamist groups started imposing Sharia law and tensions emerged shortly thereafter with MNLA. Islamist armed groups consolidated their hold in the North, committing serious human rights abuses, including child recruitment, summary executions, sexual violence, attacks on schools and hospitals and destruction of religious, historic and cultural sites. In September 2012, Ansar Dine seized the town of Douentza and crossed into central Mali.

9. By November 2012, Ansar Dine and MUJAO had driven MNLA out of the main towns of Gao, Timbuktu and Kidal. Northern Mali was then controlled by an array of armed groups, terrorist and affiliated entities, estimated to be composed of 3,000 elements, including children, well equipped with armaments reportedly obtained from Libya and arms captured from the Malian armed forces. At that time, the towns of Douentza, Gao and Ménaka were under the control of MUJAO, which was mostly composed of foreign fighters, while AQIM was occupying Timbuktu and Tessalit, and Ansar Dine remained in control of Kidal. The Islamist police was established in Gao, Dire, Gounda and Douentza, while AQIM, MUJAO and Ansar Dine supported each other's efforts in maintaining control of the occupied regions.

10. By the end of 2012, the humanitarian situation in the country had seriously deteriorated, with significant displacement, including several hundred thousand internally displaced persons (400,000 as of November 2012) and refugees who fled mainly to neighbouring Mauritania, the Niger and Burkina Faso. While serious abuses had been reported since the onset of the crisis, the pattern, prevalence and nature of grave violations worsened significantly with the consolidation of the occupation by Islamist armed groups in the North.

11. MUJAO, AQIM and Ansar Dine imposed a strict interpretation of Sharia law, curtailing fundamental freedoms, imposing corporal punishments amounting to cruel, inhuman and degrading treatment, and in some cases, carrying out summary executions.

12. On 20 December 2012, the Security Council authorized the deployment of an African-led International Support Mission in Mali (AFISMA) by the adoption of resolution 2085 (2012), which the Council mandated AFISMA to, inter alia, support the Malian authorities in recovering the areas in the north of its territory under the control of terrorist, extremist and armed groups, and in reducing the threat posed by terrorist organizations, including AQIM and MUJAO.

13. In January 2013, the National Assembly approved a road map for the transition, calling for the restoration of territorial integrity and the organization of free and fair elections. In the same month, however, elements of Ansar Dine, MUJAO and AQIM advanced southwards, capturing the central town of Konna and prompting the Malian transitional authorities to request French intervention. On 11 January, France launched Operation Serval, and the deployment of AFISMA was accelerated. French and African forces pushed the armed groups out of the main population centres, facilitating the return of the Malian armed forces.

14. MNLA established de facto control over the Kidal region, however, and declared its opposition to the redeployment of the armed forces to Kidal. The other armed groups withdrew northwards into the Adrar des Ifoghas mountains, pursued by the French forces. Others blended into local communities. Those groups have since carried out counter-attacks and have resorted to tactics of asymmetric warfare, including the use of suicide bombings.

15. While the Security Council, by its resolution 2100 (2013) of 25 April 2013, established MINUSMA, to be effective on 1 July 2013, major French operations in the North had ended by May 2013. At the same time, negotiations with MNLA and the Haut Conseil pour l'unité de l'Azawad (HCUA) continued in Ouagadougou, under the auspices of the ECOWAS mediator, the President of Burkina Faso, Blaise Compaoré, the African Union and the United Nations. A preliminary agreement for a ceasefire, cantonment and disarmament arrangements, confidence-building measures and a follow-up dialogue process was reached on 18 June 2013 in Ouagadougou. The agreement paved the way for the gradual return of Malian security forces and civil servants to Kidal, Gao and Timbuktu, which made possible the organization of the presidential elections of 28 July throughout the country.

16. Following two rounds of presidential elections in July and August 2013, Ibrahim Boubacar Keïta was elected President with over 70 per cent of the votes. Soon thereafter, a 34-member government was established under the leadership of the Prime Minister, Oumar Tatam Ly. The legislative elections, which were held on 24 November and 15 December, marked a second major step in the re-establishment of the constitutional order.

17. During the last quarter of 2013, parties made limited progress in pursuing discussions within the framework designed by the preliminary agreement. At the time of writing, a comprehensive agreement on the implementation of a disarmament, demobilization and reintegration programme had not been reached. Three pilot cantonment sites, however, were established in Kidal for the signatories of the preliminary agreement, MNLA and HCUA, regrouping approximately 800 combatants. Meanwhile, terrorist armed groups continued to fight Malian and international forces: MUJAO claimed responsibility for a number of rockets launched in the Gao region in October 2013, and AQIM claimed responsibility for detonating a vehicle-borne improvised explosive device into a MINUSMA checkpoint on 4 November 2013 in Tessalit.

A. Mouvement national pour la libération de l'Azawad

18. MNLA was founded in October 2011 with the objective of creating an independent State of the Azawad, claiming grievances related to previous Tuareg rebellions and denouncing the non-respect by the Malian authorities of the Algiers Accord signed in 2006. Mostly composed of Tuaregs after the fall of Gaddafi, MNLA reportedly included elements returning from Libya, where they had been integrated into the Libyan Army following the end of the 2006-2007 Tuareg rebellion.

19. Since the beginning of the offensive in early 2012 against the Malian armed forces, MNLA has been responsible for widespread looting of State installations and for targeted attacks on southerners, rape and sexual violence, and the recruitment

and use of children and youth from local Tuareg clans (*fractions*) and relatives of MNLA cadres.

20. Since the signing of the Ouagadougou preliminary agreement on 18 June 2013, members of MNLA and HCUA have participated in the pilot cantonment projects in the Kidal region.

B. Ansar Dine

21. Ansar Dine is an armed group led by Iyad Ag Ghali, one of the most prominent leaders of the Tuareg rebellion in the 1990s. Ansar Dine aims to impose strict Sharia law across Mali. From March 2012 to January 2013, members of Ansar Dine committed grave human rights violations, including the recruitment and use of children, rape and sexual violence against women and girls, killing of civilians and the destruction of world heritage sites. Ansar Dine was listed on 20 March 2013 by the Security Council Committee concerning Al-Qaida, pursuant to resolution 2083 (2012), as an entity associated with Al-Qaida. Ansar Dine received backing from AQIM in its fight against the Malian armed forces, notably in the capture of the towns of Aguelhok on 24 January 2012, Tessalit on 10 March 2012, Kidal on 30 March 2012, Gao on 30 March 2012, and Timbuktu on 1 April 2012. Ansar Dine also received financial support from AQIM. No incidents of grave violations against children attributable to Ansar Dine have been recorded since March 2013.

C. Haut Conseil pour l'unité de l'Azawad

22. In May 2013, the Tuareg leader Mohamed Ag Intalla formed HCUA, rejecting the claim to an independent Northern Mali and supporting political dialogue to end the conflict. A number of Ansar Dine elements are reported to have joined HCUA, which participated in the Ouagadougou process and signed the preliminary agreement on 18 June 2013.

D. Mouvement pour l'unicité et le jihad en Afrique de l'Ouest

23. Resulting from a leadership struggle within AQIM, the splinter group MUJAO announced its existence by claiming the abduction of three humanitarian workers from a Saharan refugee camp in Tindouf on 23 October 2011. Since then, MUJAO co-existed and operated jointly with AQIM in the Sahel, in particular in drug trafficking and hostage-taking. MUJAO claimed responsibility for the abduction of seven Algerian diplomats, including the Algerian Consul, in Gao on 5 April 2012. Taking advantage of the uprising of rebel movements in northern Mali in early 2012, MUJAO seized the towns of Gao and Bourem. On 5 December 2012, the sanctions Committee concerning Al-Qaida listed MUJAO for its association with AQIM, pursuant to paragraphs 1 and 12 of Security Council resolution 1989 (2011).

24. As part of the armed groups occupying northern Mali before the military offensive of the French Operation Serval, MUJAO reportedly recruited and used children and was responsible for rape and sexual violence. Following the intervention of French forces, MUJAO withdrew from the main urban areas in northern Mali to a more remote zone just south of Ansongo and Ménaka. In August

2013, a fraction of MUJAO merged with the Mokhtar Belmokhtar's al Muwaqi'un bil-Dima group to create the al Murabitun Brigade.

E. Al-Qaida in the Islamic Maghreb

25. The AQIM organization was created in Algeria in 1998 by Hassan Hattab, as the Salafist Group for Call and Combat. The Group was a splinter entity of the Armed Islamic Group, the largest and most extremist group in Algeria at the time, and was renamed AQIM in January 2007, following the Group's union with Al-Qaida.

26. AQIM, led by Emir Abu Musab Abdel Wadoud, aims at creating an Islamic State across the Maghreb in northern Africa and is organized into several zones controlled by multiple *katibas* (or battalions). The southern zone, also known as the Sahel zone, includes northern Mali.

27. AQIM provided financial and logistical support and backed Ansar Dine from the battle at Aguelhok on 24 January 2012 to the offensive in early January 2013 against southern Mali, including for the takeover of Tessalit on 10 March 2012, of Kidal and Gao on 30 March 2012, and of Timbuktu on 1 April 2012. In November 2012, AQIM, Ansar Dine and MUJAO established joint offices in Gao.

28. Originally, AQIM was listed under the name of the Salafist Group for Call and Combat on 6 October 2001, pursuant to paragraph 8 (c) of Security Council resolution 1333 (2000), as being associated with Al-Qaida, Osama bin Laden or the Taliban for participating in the financing, planning, facilitating, preparing or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf or in support of Al-Qaida.

F. Pro-government militias

29. In 2012, self-defence militias mobilized to oust Islamist groups in the Mopti-Sévaré area, close to the front line between the area controlled by the armed groups and the Government.

30. The Ganda Koy ("Masters of the land" in Songhai), the oldest of the above-mentioned militias, was created in 1994 during the 1991-1996 Tuareg rebellion in the North. Composed of mostly Songhai, but also of former soldiers of the Malian Army of Peuhl ethnicity, the militia was responsible for racially motivated attacks against Tuaregs and Arabs between 1994 and 1996. Ganda Izo ("Sons of the country" in Songhai) was created more recently, reportedly to protect the Peuhl, Songhai and Bella populations from Tuareg exactions. An additional militia, the Forces de libération du Nord (FLN), also based in Mopti, was created in March 2012. The United Nations received allegations that pro-government militias recruited and trained numerous children during 2012 and 2013.

31. The United Nations also received information that Ganda Koy, Ganda Izo and FLN had received material assistance from the Malian armed forces. Members of FLN allegedly received weapons for training purposes in Mopti; the Ganda Izo were reportedly supported by Captain Amadou Haya Sanogo, while Ganda Koy was led by a prominent Bamako lawyer connected to the security apparatus of the military junta.

G. Malian Defence and Security Forces

32. In the lead-up to the crisis, discontent and a general feeling of neglect were widespread among the Malian armed forces. Significant resources had been diverted from the counter-insurgency efforts in the North owing to the corruption of senior officers, which resulted in weakened logistics, low morale and desertions.

33. Both following the coup d'état, as well as in the context of their redeployment in the North, the Malian armed forces have reportedly committed serious abuses, including looting, extrajudicial killings, rape and other acts of sexual violence.

III. Grave violations against children

34. Since the beginning of the crisis, grave violations against children have been prominent in northern Mali and continued to be perpetrated by parties to the conflict throughout the reporting period. While particularly egregious in 2012, violations continued to a lesser extent in 2013. Important challenges regarding the monitoring and reporting of grave violations persist, such as the lack of access to many areas of the North, the limited staffing of the MINUSMA Child Protection Unit and the absence of child protection actors in the field. Despite the overall improvement in the political and security situation in 2013, children remain vulnerable and at risk of violations, particularly in the North.

35. In the period under review, parties to the conflict responsible for grave violations against children included AQIM, MUJAO, MNLA, Ansar Dine and, to a lesser extent, the Malian armed forces and pro-government militias. The most affected regions were Gao, Kidal and Timbuktu. According to information verified by the United Nations, the most recurrent violations against children were sexual violence, killing and maiming, recruitment and use, and attacks on schools. Children were also detained for their alleged association with armed groups.

36. Overall, the nature and extent of violations has evolved throughout the reporting period. In the first months of 2012, MNLA were one of the main perpetrators of recruitment and use of children, as well as sexual violence and killing and maiming. Since April 2012, with the progressive marginalization of MNLA and the shift of the military balance in favour of Ansar Dine and MUJAO, with the backing of AQIM, in particular in Kidal, Timbuktu and Gao, violations have not only been linked to the military hostilities but also to the enforcement of Sharia law.

37. At the end of 2012, with the looming deployment of international forces in northern Mali, armed groups were increasingly preoccupied with defending their military gains, which included the laying of land mines and other explosive devices to repel attacks. In 2013, the number of grave violations recorded decreased, although concerns remained, in particular, with regard to the insecurity in the northern regions and cases of detention, as well as with regard to the identification, separation and reintegration of children because of limited access.

A. Recruitment and use of children

38. In annex I to my report of 15 May 2013 on children and armed conflict (S/2013/245), I listed Ansar Dine, MNLA and MUJAO for recruitment and use of children.

39. All armed groups operating in northern Mali are reported to have targeted children for the purpose of recruitment and use. At the end of 2012, the combined strength of armed groups operating in northern Mali was estimated to include approximately 3,000 core combatants (S/2012/894, para. 10).

40. While there was no clarity on the number of children that were, and may be currently, associated with armed groups in Mali, early information indicated that hundreds of children, mainly boys between 12 and 15 years of age, were recruited and used by those groups.

41. Children were pushed to join armed groups to overcome poverty or because of ethnic affiliations. Families, imams and community leaders reportedly played a role in the recruitment and use of children. Many children who had been sent by their parents to marabouts or to Islamic schools were recruited by armed groups (see S/2013/245). Schools were reported to be used as places for indoctrination and recruitment. With the progressive defeat of armed groups in northern Mali, most children are believed to have returned spontaneously to their families. Unknown numbers of children could, however, still be associated with the armed groups.

42. In early 2012, reports noted that children were recruited and used extensively by MNLA and that Tuareg families volunteered their children to MNLA to man checkpoints and conduct patrols, but also to participate in the hostilities. As MNLA was progressively losing control in the North to Ansar Dine and MUJAO, some children shifted their allegiance, especially those belonging to the Kidal-based group of Iyad Ag Ghali. Ansar Dine also reportedly recruited new children, luring them with the promise of gifts or payments. Both Ansar Dine and MUJAO are reported to have used children in various roles: children were seen armed with automatic weapons, manning checkpoints, enforcing the Islamic dress code for women, and conducting inspections of contraband items. Children recruited by Ansar Dine are reported to be mainly of Arab, Peuhl and Tuareg origins.

43. MUJAO allegedly began conducting recruitment drives in November 2011 among the children and youth of villages in the south of Gao, including in Wabaria, Kossey, Tchirissoro, Kadji, Fafa, Gouriefoumba and Gabero. In November 2012, the United Nations received reports of at least three camps in Gao where children were being trained. MUJAO allegedly paid 250,000 and 350,000 CFA francs, respectively, to orphans and those with families.

44. According to direct testimonies collected by the United Nations, MUJAO also extensively used children in Gao, Douentza and Bourem. Children associated with MUJAO were mostly armed with AK-47, carrying out patrols or manning security and/or toll checkpoints. Witnesses have seen children as young as 10 or 11 years of age associated with the Islamist group, including in a former gendarmerie camp in Taoussa, close to Bourem, and also standing guard at a base established in a former secondary school in Douentza. Children of Tuareg, Peuhl, Bella and Songhai ethnicity have been seen associated with MUJAO. It was reported that MUJAO forcefully recruited 15 children between 13 and 18 years of age in Ménaka, following the

clashes in Konna, leading families to send their children to the Niger to prevent recruitment.

45. Recruitment and association of children with MUJAO was also confirmed in interviews held with children handed over by French forces to child protection actors. For instance, on 9 March 2013, the French Army transferred five children captured among combatants to UNICEF. Two of them had been severely wounded, which suggests that they had taken an active part in the hostilities.

46. As with Ansar Dine, children were recruited with the promise of payment or gifts. Witnesses indicated that parents in Gao were reportedly paid 5,000 CFA francs per month to send their children to a madrasa (religious school), which had been established in the former house of the Mayor of Gao, where children were trained to use weapons and received Islamist instruction.

47. While the exact command and operational relationship between Ansar Dine and AQIM remains unclear, AQIM has reportedly been funding and supporting the use of children by Ansar Dine. It is also worth noting that both AQIM and MUJAO combatants maintained a low profile vis-à-vis the civilian population, often relying upon local cadres and children to manage the enforcement of Sharia law and involving them in face-to-face interactions with the civilian population.

48. In 2012, the United Nations also received reports of cross-border recruitment of children in refugee camps in Burkina Faso, Mauritania and the Niger by Islamist armed groups.

49. Self-defence militias, attempting to repeal the progressive takeover of the northern regions by the Islamist armed groups, in particular in the Mopti-Sévaré area which was under Government control, were also reported to have recruited and used children early in 2012. Both boys and girls were reported to be associated with Ganda Koy, Ganda Izo and FLN, which raised concerns over the risk of potential integration of those groups into the national security forces.

50. While the United Nations was not able to independently verify the presence of children among the ranks of the above-mentioned militias, it received credible reports of the continued presence of children in the ranks of FLN and Ganda Izo at the end of 2012.

51. Members of the Malian armed forces detained children captured in combat, in some cases subjecting them to ill-treatment. Some of the children arrested for alleged association with armed groups continue to be detained. Allegations of association of children with the armed forces have also been sporadically reported, and the Malian authorities have taken steps to work with the United Nations to undertake joint screening for age verification.

52. From March to December 2013, 24 children were reported to be held in detention facilities in Bamako for their alleged association with armed groups. Children were usually held in the same detention facilities as adults, but the United Nations was able to have access to them and identify them as minors. As of 31 December 2013, nine boys remained in detention in Bamako on conflict-related charges (three in detention at the Central Prison, another two boys in the high security section of the Central Prison, and four at Gendarmerie Camp 1). Three additional boys in the UNICEF-supported transit and care centres are at risk of being condemned for crimes related to their association with an armed group, as

they were charged before the signing of the Protocol between the Government of Mali and the United Nations on the Release and Handover of Children Associated with Armed Forces and Groups.

53. In July 2013, the United Nations identified 12 children detained in the prison of Kidal by MNLA. The children had been detained for several months. During the same visit, the United Nations observed the presence of children among MNLA soldiers ensuring security of the prison's perimeter. The United Nations advocated for their release and the children were reunited with their families.

B. Killing and maiming of children

54. There is very limited information available for 2012 and 2013 on the killing and maiming of children. Neither the Government nor humanitarian actors have systematically documented the number of people, including children, killed or injured during the conflict. It is alleged, however, that children associated with armed groups were used as human shields and as a result were reportedly killed and maimed in combat. Concern also remained over inter-ethnic reprisals against children of Arab or Tuareg origin, including by the national armed forces.

55. Explosive remnants of war have accounted for the majority of incidents recorded. Between March 2012 and December 2013, UNICEF confirmed 99 civilian casualties of explosive remnants of war, including the killing of six children and the injury of 51 others. For example, on 19 April 2012 in Timbuktu, two boys aged 9 and 13 were killed, and one boy aged 15 was maimed after an explosive remnant of war accident close to a military camp.

56. MNLA and Islamist armed groups did not specifically and systematically target children during the military offensive in northern Mali, nor subsequently during the Ansar Dine and MUJAO consolidation of authority in Timbuktu, Kidal and Gao. Nevertheless, during the pillaging of an International Committee of the Red Cross (ICRC) and a World Food Programme (WFP) warehouse in Gao in April 2012, a boy was shot dead by MNLA. In a separate incident in Niafunke, a girl was shot and injured by Ansar Dine elements when a protest broke out on a boat on its way from Mopti in September 2012. Anecdotal accounts of Islamist armed groups beating and whipping children accused of taking a bath naked in the river, or for smoking, were also received in Niafunke. In June 2012, MNLA killed three students aged 13 and 14 as they were protesting in Gao against the killing of a school director.

57. Sporadic incidents of the maiming of children by unknown armed elements were also reported. For example, on 23 October 2013, a six-year-old boy was killed and an 11-year-old was wounded during a suicide attack on a MINUSMA checkpoint in Tessalit. On 27 October, a 16-year-old boy was shot in the leg when unidentified individuals attacked a MNLA checkpoint in the village of Talahandak near Kidal. The boy suffered a double fracture. On 7 November, a group of three civilians including two children, herding their goats near Gouati, 17 kilometres from Niafunke, were attacked by unknown armed men. It is reported that in the same incident a 14-year-old boy was shot dead by armed men.

C. Rape and sexual violence

58. Throughout 2012, sexual violence against women and girls by the armed groups was reported to be widespread and systematic in northern Mali. Numerous allegations of rape of girls — often by multiple men — were received by the United Nations. Sexual violence has been perpetrated either in the context of abductions for the purpose of sexual slavery and/or forced marriage. Often the victims were later returned to their families with the payment of a "compensation" to their parents. In 2012, 211 cases of sexual and gender-based violence (including rape, sexual slavery, forced marriage, sexual violence in places of detention and gang rape) by armed actors, including by MNLA, MUJAO, Ansar Dine and AQIM, have been reported. Sexual violence has been used by those groups as a tactic of war to humiliate, instil fear and exert control over communities. On that basis in 2013, I listed Ansar Dine, MNLA and MUJAO for sexual violence in the annexes to my annual report of 15 May 2013 on children and armed conflict (S/2013/245) and my report of 14 March 2013 on sexual violence in conflict (S/2013/149).

59. In one case, two Songhai sisters, aged 14 and 16, were allegedly forcibly taken from their home in Gao by elements of MNLA and raped by several men throughout the night. Also in Gao, in June 2012, four MUJAO elements abducted and raped a Bella girl and threatened her father when he attempted to save his daughters.

60. Information consolidated by the Gender-Based Violence Sub-Cluster of the Protection Cluster in Mali indicates that 106 cases of sexual violence against children, out of a total of 620 cases of sexual violence, were registered in the period from April 2012 to December 2013, in areas affected by the conflict and/or with displaced populations. A significant number of those victims were from the regions of Gao and Timbuktu. In 2013, protection actors reached 276 survivors of rape with essential life-saving services. More than one third of the 276 cases of rape reported were perpetrated by more than one person. Of those, 68 of the incidents (25 per cent) were committed against children aged 2 to 17.

61. Mali's Penal Code (2001) defines rape and other forms of sexual violence against children as crimes or, if committed during conflict, as war crimes. While the Government of Mali has explicitly mandated judicial authorities to prioritize cases of sexual violence, lack of sufficient resources, obstacles in accessing justice, and social attitudes resulted in only seven survivors of conflict-related sexual violence, including four children, having pursued legal recourse. Of those, one trial for rape of a girl by a Malian armed forces soldier was ongoing at the military court at the time of writing. Girls and women face significant obstacles to accessing justice and only a few pursue legal recourse. Fear of reprisals or rejection leads many survivors and their families to accept alternative recourses, such as reparations in the form of cash, livestock or other material goods.

62. The risk of sexual violence against children remains high, given the presence of armed forces and non-State actors, continued insecurity in the North, weakened community structures, protection and care systems, as well as displacement.

63. Insecurity, but also the unreliable communication systems and weak transportation infrastructure, continue to impede humanitarian access and limit survivors' ability to access services. With partners involved in prevention and response to conflict-related sexual violence only partially deployed in conflict-affected areas, support to survivors of sexual violence remains limited. That is also

because of the lack of community-based and government-funded care programmes. In addition, only a limited number of humanitarian actors have the technical expertise and the resources to provide a full range of services to survivors of rape and other acts of sexual violence.

64. At the time of writing, there were 21 centres for psychosocial, legal and medical-oriented support, seven of which were government-run and included temporary transit care support to allow for the provision of multisectoral assistance of cases of sexual violence. Sexual violence support kits were made available in the regions of Kayes, Ségou, Bamako, Mopti, Gao, Timbuktu, Sikasso, Koulikoro and Kidal.

D. Attacks on schools and hospitals

65. Access to education in Mali was severely impacted by the crisis. During 2012, the majority of children remaining in northern Mali suffered violations of their right to education owing to physical damage to school installation and equipment, the flight of teachers from the North, and the influence of the Islamist armed groups on the conduct of education.

66. There were an estimated 252,690 students in schools in the conflict-affected regions prior to the crisis. At the peak of the conflict, following the French-led military intervention in January 2013, access to education was severely affected, with the forced closure of 1,418 schools in Gao, Kidal, Timbuktu, Ségou and Mopti. Some 75 to 80 per cent of school-age children who were receiving an education before the crisis in the three northern regions of the country were estimated not to have attended classes in 2012 and the first half of 2013. Mali's Education Cluster in 2012 estimated that 85 per cent of teachers had fled the North to neighbouring countries or to their home regions in the South.

67. A total of 200 schools were reported looted, damaged, bombed, used for military purposes or contaminated with unexploded ordnances. In April and May 2012, at least 115 schools in the regions of Kidal, Timbuktu, Gao and Mopti were attacked, pillaged or sacked by the armed groups. French air strikes reportedly damaged several school buildings, including the Teaching Academy in Douentza, which were being used by Islamist armed groups as their military base.

68. While incidents of military use of schools were reported up until January 2013, the majority of schools were vacated following the French military intervention. It was reported, however, that as of November 2013 MNLA was still using the Lycée Attaher Af Ily in Kidal. Thirty elements of MNLA established a military post inside the school and currently use two buildings and the hangar of the school. Twenty schools were used for military purposes by Ansar Dine and MUJAO in the regions of Timbuktu, Gao and Kidal; they were freed after the intervention of community leaders in May-June 2012. In the south of the country, 14 schools were verified to be used for military purposes by elements of a self-defence group in the Mopti area during the same period. The schools were vacated following advocacy by the United Nations and partners.

69. Armed groups reportedly interfered in the conduct of classes, demanding that their interpretation of Sharia law be taught in schools in the regions of Gao, Kidal, Timbuktu and northern Mopti. MUJAO and Ansar Dine have prohibited the teaching

of subjects perceived to be "Western", including the English language and philosophy, as well as sexual education. The armed groups have also forced boys and girls to be separated and demanded that girls wear veils. That interference, and the fact that schools have been used as a place for recruitment and indoctrination, strongly impacted the access of children, in particular girls, to education.

70. As of December 2013, the regions most heavily affected by the conflict (Gao, Kidal and Timbuktu) had seen a return of 147,425 students, and 769 out of 1,161 schools reopened (68 per cent). Insecurity continues, however, to force school closure in a significant number of areas. As of that month, only 5 per cent had reopened in the Kidal region, while only 37 per cent of schools were functional in Ménaka, Gao region. As of 31 December 2013, 24 per cent of schools remained closed.

71. According to official government data, out of the 1,581 health structures in Mali, 29 were completely destroyed and 226 health structures were partially destroyed in the conflict. As of 15 November 2013, 88 of those health structures were not yet functioning and 185 were only partially functioning. Most of the damage happened during the armed conflict of early 2012, with initial reports indicating that close to half of the health facilities in the three northern regions were unable to function as a result of physical damage, looting of equipment or the displacement of health workers.

72. A Health Resources Availability Mapping System survey carried out in March-April 2013 by the Ministry of Health and the World Health Organization concluded that vaccination services and services dedicated to the management of cases with severe acute malnutrition had been significantly affected by the humanitarian crisis in Mali. That was especially observed in the northern part of the country, in relation to the destruction of the health infrastructure and the migration of the health personnel because of the insecurity.

73. The above-mentioned precarious state of services had serious consequences for the health of the most vulnerable children and women, such as the outbreak of measles, malaria and cholera over the past two years. The shortage of skilled manpower and a major deficit in medical equipment, logistics and infrastructure continue to affect the functioning of the health-care facilities.

E. Denial of humanitarian access

74. Until the first half of 2013, children's access to humanitarian assistance in the North was severely restricted by the conduct of hostilities and military operations and the absence of service providers. Approximately 873,000 children out of a total population of 1.5 million people in the North were affected by the lack of access by humanitarian assistance actors. In the aftermath of Operation Serval and until mid-February 2013, while most of the non-governmental organizations (NGOs) present in the North continued their activities, movements outside the main cities were suspended. Between March 2012 and February 2013, the northern airports (Timbuktu, Gao and Kidal) were not accessible to civilian flights. In the meantime, NGOs not already present in the North were unable to reach Timbuktu or Gao because of ongoing hostilities and restrictions on movements. An armed forces checkpoint in Konna prevented any northbound movements and restricted access on

the roads from Mopti to Timbuktu and from Mopti to Gao (from Konna) until mid-February 2013.

75. Resumption of humanitarian flights for Timbuktu in February 2013, Gao in April 2013 and Kidal in June 2013 has contributed to broader humanitarian access to northern areas. Owing to the extreme volatility of the security situation prevailing in the Kidal area, regular access to this region remains, however, challenging.

76. During the reporting period, the United Nations verified one case of attack against humanitarian actors in which a humanitarian vehicle was hijacked in Ménaka in August 2013. While the overall number of direct attacks against humanitarian actors has been limited, serious concerns remain over risks of attacks in the northern regions, in particular in the light of the recent targeting by armed groups of the Malian armed forces, French forces and MINUSMA.

IV. Advocacy and dialogue with parties to the conflict

77. The United Nations continues to work with the Government and national and international partners for the protection and release of children formerly associated with the armed groups. My Special Representative for Children and Armed Conflict, Leila Zerrougui, and my Special Representative for Mali, Albert Koenders, as well as UNICEF, have continued to advocate for the protection of vulnerable children, including for the release and reintegration of children associated with armed groups.

78. In July 2013, the United Nations advocated with MNLA to release the children who were kept in detention by MNLA in Kidal. As a result, three children were transferred to Bamako, where they received interim care in transit centres. Three children of Arab origin were handed over directly by MNLA to Arab community leaders. In September, MNLA decided to release all its detainees (approximately 30 detainees), including five remaining children. Upon their release, these children were reunited with their families in Gao.

79. With the exception of these ad hoc interactions, a structured dialogue with MNLA has not yet started. In August 2013, a preliminary discussion was held in Kidal with MNLA leaders and child protection actors with a view to sensitizing them to end and prevent grave violations against children.

80. With respect to measures adopted by the Government following advocacy by the United Nations, on 7 February 2013 an interministerial circular was signed by the Ministers of Justice, Family and the Promotion of Women and Children, the Defence and Territorial Administration, and the Minister of Internal Security and Civil Protection, on the prevention, protection and reintegration into the family of children released from armed forces and groups. It noted that military, political, administrative authorities and community leaders were committed to the protection of those children.

81. In addition, on 1 July 2013, the Government and the United Nations signed a Protocol on the Release and Handover of Children Associated with Armed Forces and Groups, which highlights the responsibility of the Government to handover children associated with armed forces and groups to either their agency in charge of child protection or to UNICEF within 48 hours.

82. Following the signing of the above-mentioned Protocol, 14 boys were transferred to two UNICEF-supported transit and care centres in Bamako. Five of those children were reunited with their families on 8 November 2013 but are still awaiting the letters detailing that charges against them have been dropped. Two males who stated that they were children, but were classified as adults by the authorities, were released in December 2013.

83. In response to allegations of recruitment and use of children by the Malian armed forces, MINUSMA has requested and obtained authorization from the Government to conduct, in collaboration with UNICEF and the Malian authorities, a screening and administrative age verification of the Malian armed forces. At the structural level, however, lack of access to civil documentation and registration, which have been aggravated by the crisis, creates additional protection risks and hinders access to assistance and services for children, in particular in the North. Similarly, the absence of a disarmament, demobilization and reintegration strategy complicates the identification of children who may currently be associated with the armed groups.

84. In October 2012, the Government established an interministerial working group on grave violations against children. The objectives of this entity include preventing recruitment and use of children through public information campaigns and ascertaining the presence of children in self-defence militias through joint verification missions with international partners. The working group was functional during the last quarter of 2012 but did not meet in 2013.

V. Prevention and response to assist children affected by the conflict

85. With the establishment of MINUSMA, which integrated AFISMA military contingents including 2,000 soldiers of the National Army of Chad, concerns were raised because of the listing of the Chadian Army in annex I to my report on children and armed conflict (S/2013/245) for recruitment and use of children in armed conflict. Chad, which had been listed since 2009, signed an action plan with the United Nations in 2011. Until 2013, that plan had only been partially implemented owing to limited capacity and resources.

86. The opportunity of integrating Chad as a troop contributor into MINUSMA, in application of the United Nations human rights screening policy, generated strong political momentum to accelerate the implementation of the Action Plan. To that end, my Special Representative for Children and Armed Conflict and UNICEF undertook a joint mission to Chad from 12 to 15 May 2013 and developed a 10-point road map for the implementation of the Action Plan jointly with the Chadian authorities. Subsequently, in June 2013, the Military Adviser of the Department of Peacekeeping Operations of the Secretariat also travelled to Chad to further assist the Chadian military authorities in developing the modalities of implementation.

87. At the same time, child protection actors conducted a screening and sensitization of the Chadian contingent deployed in Tessalit ahead of the transfer of authority from AFISMA to MINUSMA on 1 July 2013. At the time of writing, the implementation of the 10-point road map was well advanced, with all measures being implemented but requiring sustained efforts in the long term.

88. With respect to the programmatic response to assist vulnerable children in Mali, UNICEF prioritizes assistance to prevent recruitment and protect children from violence. NGO partners have reported to UNICEF that many children who had spontaneously returned to their families after having been associated with armed groups did not want to receive any attention or be singled out for having been associated with armed groups.

89. Throughout 2013, UNICEF continued to advocate and provide services via its implementing partners and supported the operationalization of two transit and care centres for children released from armed groups. As of 31 December, 28 children, all boys, have transited via the two centres. To date, 15 boys have been reunited with their families and 12 boys remain in the centres.

90. UNICEF is working in close collaboration with the Ministry of Family and the Promotion of Women and Children to reinforce community-based mechanisms focused on prevention and response to benefit vulnerable children, including those who have spontaneously demobilized and those at risk of recruitment/re-recruitment and violence. Throughout 2013, they have continued to advocate and provide services to support the most vulnerable children, including children who had been associated with armed groups.

91. With respect to access to education for children affected by the conflict, the Education Cluster has supported the national authorities, in particular in the regions of Gao, Kidal, Timbuktu and Mopti, including by facilitating the return to school of approximately 147,000 children. That represents over two thirds of the 200,000 children who had been affected by the conflict. The Education Cluster also enabled the distribution of 122,000 school kits, the training of 5,092 teachers on psychosocial support and 750 teachers in peace education, and the provision of 20 tents. WFP school feeding programmes contributed to support school attendance of more than 111,000 children in 576 schools in Gao and Timbuktu during the 2013-2014 academic year.

92. UNICEF and other partners have undertaken an accelerated mine risk education programme to prevent accidents and mitigate the impact of explosive remnants of war on children. Activities were focused on areas identified as polluted or where clearance operations had been conducted by the United Nations Mine Action Service (UNMAS) teams and partners; 141,044 people have been directly reached by mine risk education activities, while 525 personnel from government, civil society and implementing partners have been trained to conduct risk education activities.

VI. Observations and recommendations

93. I urge all parties in Mali to immediately halt grave violations against children, and I call on armed groups to release all children in their ranks, to abide by international humanitarian and human rights law, and to comply with Security Council resolutions on children and armed conflict.

94. I also urge all parties in Mali to ensure safe access of humanitarian actors to populations affected by the conflict, and to provide necessary humanitarian assistance and basic social services.

95. I commend the commitment and efforts made by the Government of Mali for the protection of children. In particular, I welcome the adoption by the Government of an interministerial circular on the prevention, protection and reintegration into the family of children released from armed forces and armed groups, as well as the signing of the Protocol on the Release and Handover of Children Associated with Armed Forces and Groups. I encourage the Government of Mali to sustain its commitments and to continue to work with the United Nations in this regard towards ensuring the protection of children affected by the armed conflict.

96. I encourage the Malian authorities and international partners to ensure that all disarmament, demobilization and reintegration programmes and security sector reform strategies take into account the specific needs of children affected by the armed conflict and the protection of their rights.

97. I am concerned by the continued detention of children and I encourage the Government of Mali to work with the United Nations to establish a joint mechanism for the review of cases of minors detained on charges related to the armed conflict and association with armed groups.

98. I encourage the Malian Defence and Security Forces, with the support of the Country Task Force on Monitoring and Reporting and relevant international partners, to establish recruitment procedures and age verification measures to ensure that children are not recruited into their forces.

99. The United Nations and humanitarian partners remain concerned with the continued incidence of sexual violence. Ensuring timely and appropriate care for child survivors by improving geographic coverage and quality of care in the most vulnerable areas should remain a priority for international partners. I also encourage the Government to redouble its efforts to prevent and respond to sexual violence, including by holding accountable perpetrators of such crimes. The United Nations, in collaboration with its partners, is committed to enhancing efforts in support of the Government, including facilitating provision of services for survivors.

Annex

MALI
National capital
Regional capital
Town, village
Major airport
International boundary
Regional boundary
Main road
Other road
Track
Railroad
ALGERIA
MAURITANIA
TOMBOUCTOU
GAO
KIDAL
MOPTI
SEGOU
KAYES
KOULIKORO
SENEGAL
GUINEA
BURKINA FASO
NIGER
BENIN
NIGERIA
GHANA
COTE D'IVOIRE
Tombouctou
Gao
Kidal
Mopti
Ségou
Kayes
Koulikoro
Sikasso
Bamako
Gourma-Rharous
Bourem
Ansongo
Ménaka
Douentza
Bandiagara
Niono
Nara
Nioro du Sahel
Aguelhok
Tessalit
Taoudenni
Goundam
Diré
Niafunke
Koutiala
Bougouni
Yanfolila
Kolondieba
Kita
Kéniéba
Diéma
Nioro
Mourdiah
Banamba
Dioila
Bafoulabé
Aourou
Ayoûn el 'Atroûs
Nema
Rás el Mâ
Timbuktu
Douentza
Ouahigouya
Dédougou
Ouagadougou
Fada N'gourma
Tenkodogo
Diapaga
Kandi
Nikki
Parakou
Malanville
Gaya
Dosso
Tillabéri
Niamey
Tahoua
Agadez
Arlit
Birnin Konni
Maradi
Zinder
Diffa
Gumni
Kontagora
Kano
Sokoto
Kebbi
Wawa
Kolo
Kamba
Tchirozerine
In Guezzam
Assamakka
Poste Maurice Cortier
Bordj Mokhtar
Tidjikdja
Kiffa
Bogué
Aleg
Boutilimit
Rosso
Podor
Matam
Kaédi
Selibaby
Kayes
Bafoulabé
Kita
Dioila
Bamako
Koulikoro
Ségou
Mopti
Sikasso
Koutiala
Bougouni
Yanfolila
Kolondieba
Niono
Nara
Nioro du Sahel
Aourou
Douentza
Bandiagara
Diré
Goundam
Rás el Mâ
Timbuktu
Gourma-Rharous
Bourem
Gao
Ansongo
Ménaka
Andéramboukane
Aguelhok
Tessalit
Kidal
Taoudenni
Tinzaouatène
Abalessa
Tahoua
Agadez
Arlit
Niamey
Dosso
Tillabéri
Birnin Konni
Maradi
Zinder
Diffa
Gumni
Kontagora
Kano
Sokoto
Kebbi
Wawa
Kolo
Kamba
Malanville
Parakou
Nikki
Kandi
Fada N'gourma
Diapaga
Tenkodogo
Ouagadougou
Dédougou
Koudougou
Kaya
Yako
Ouahigouya
Gaya
Dosso
Tillabéri
Niamey
Tera
Dori
Djibo
Tougan
Nouna
Banfora
Gaoua
Léo
Diébougou
Navrongo
Bawku
Dapaoong
Kankan
Siguiri
Kérouané
Faranah
Dinguiraye
Labé
Gaoual
Koundara
Boké
Kindia
Mamou
Dalaba
Pita
Télimélé
Fria
Conakry
Forécariah
Kissidougou
Guéckédou
Macenta
Nzérékoré
Lola
Beyla
Kérémé
Bissau
Bafatá
Gabú
Boké
Labé
Mamou
Kindia
Conakry
Forécariah
Kissidougou
Guéckédou
Macenta
Nzérékoré
Lola
Beyla
Kérémé
Kankan
Siguiri
Kérouané
Faranah
Dinguiraye
Gaoual
Koundara
Bissau
Bafatá
Gabú
Freetown
Bo
Kenema
Kailahun
Monrovia
Ganta
Sanniquellie
Zwedru
Harper
Buchanan
Greenville
Sinoe
Tabou
Sassandra
San-Pédro
Soubré
Daloa
Man
Odienné
Séguéla
Bouaké
Yamoussoukro
Abidjan
Grand-Bassam
Agboville
Dabou
Grand-Lahou
Abengourou
Agnibilékrou
Bondoukou
Tanda
Dimbokro
Daoukro
Bouna
Boundiali
Korhogo
Ferkessédougou
Katiola
Bouaké
Yamoussoukro
Abidjan
Grand-Bassam
Agboville
Dabou
Grand-Lahou
Abengourou
Agnibilékrou
Bondoukou
Tanda
Dimbokro
Daoukro
Bouna
Boundiali
Korhogo
Ferkessédougou
Katiola
Sassandra
San-Pédro
Soubré
Daloa
Man
Odienné
Séguéla
Tabou
Sinoe
Greenville
Buchanan
Harper
Zwedru
Ganta
Sanniquellie
Monrovia
Kailahun
Kenema
Bo
Freetown
Tombouctou (Timbuktu)
Gourma-Rharous
Bourem
Gao
Ansongo
Ménaka
Andéramboukane
Aguelhok
Tessalit
Kidal
Taoudenni
Goundam
Rás el Mâ
Douentza
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Ségou
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Koutiala
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Boutilimit
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Selibaby
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Mopti
Ségou
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Sikasso
Bamako
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